

IS01191MCG
PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Sandy et al. : Date: January 18, 2005
Serial No.: 10/661,653 : Group Art Unit: 2664
Filed: September 12, 2003 : Examiner: Ajit Patel
For: METHOD OF OPTIMIZING A NETWORK

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TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(c)
TO OBVIATE A DOUBLE PATENTING REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

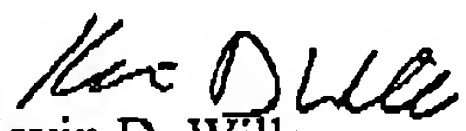
SIR:

Your petitioner, MOTOROLA, INC. represents that it is the owner of the entire interest of application Serial No. 10/661,653, filed on the 12th day of September, 2003, for METHOD OF OPTIMIZING A NETWORK. Your petitioner hereby disclaims the terminal part of claims 1-16 and 28-36 of the entire patent or of any patent granted on the above-identified application, which would extend beyond the expiration date of claims 1-24 of the United States Patent Application No. 10/662,202 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the United States Patent Application No. 10/662,202, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Authorization is hereby given to charge the fee for this disclaimer, as set forth in 37 C.F.R. 1.20(d), to Deposit Account 502117.

Respectfully submitted,

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